

Name MARQUETTE H.
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VACAVILLE CA 95696
4000

CDC or ID Number P-32844

1600
MHR

U.S. DISTRICT
450 Golden Gate Ave
(Court) SF, 94102-3483

E-filing 530

Harold R Marquette
 Petitioner
 vs.
Shasta Co Superior
 Respondent Judge Curie Jeff E Gorder

PETITION FOR WRIT OF HABEAS CORPUS

01 00

No. 00
 (To be supplied by the Clerk of the Court)

MHP

(PR)

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.

• Read the entire form before answering any questions.

• This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.

• Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."

• If you are filing this petition in the Superior Court, you need file only the original unless local rules require additional copies. Many courts require more copies.

• If you are filing this petition in the Court of Appeal, file the original and four copies of the petition and, if separately bound, one copy of any supporting documents.

• If you are filing this petition in the California Supreme Court, file the original and ten copies of the petition and, if separately bound, two copies of any supporting documents.

• Notify the Clerk of the Court in writing if you change your address after filing your petition.

• In most cases, the law requires service of a copy of the petition on the district attorney, city attorney, or city prosecutor. See Penal Code section 1475 and Government Code section 72193. You may serve the copy by mail.

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court [as amended effective January 1, 2007]. Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

MC-275

This petition concerns:

A conviction Parole
 A sentence Credits
 Jail or prison conditions Prison discipline
 Other (specify): _____

1. Your name: HUMPREQUETTE
 2. Where are you incarcerated? C.S.P SOLANO
 3. Why are you in custody? Criminal Conviction Civil Commitment

Answer subdivisions a. through i. to the best of your ability.

a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

Lewd-les288. (a)

b. Penal or other code sections 288. (a)

c. Name and location of sentencing or committing court: SHASTA COUNTY Superior
1525 Court Reading 9600

d. Case number: #06F7253

e. Date convicted or committed: Sep 9th 2006

f. Date sentenced: JUNE 22nd 2007

g. Length of sentence: NINE YEARS

h. When do you expect to be released? 2014

i. Were you represented by counsel in the trial court? Yes. No. If yes, state the attorney's name and address:

Jeff F Gorder. Refused TO TAKE
ME TO TRIAL

4. What was the LAST plea you entered? (check one)

Not guilty Guilty Nolo Contendere Other: Under extreme Duress

5. If you pleaded not guilty, what kind of trial did you have?

Jury Judge without a jury Submitted on transcript Awaiting trial

6. GROUNDS FOR RELIEF

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Ground 1: State briefly the ground on which you base your claim for relief. For example, "the trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page four. For additional grounds, make copies of page four and number the additional grounds in order.)

My public Defender forced me to a plea even after admitting verbal abuse at Marsden. He told me he would see to it I receive 18 yrs if I went to Jury trial.

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts upon which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is: who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.)

My Attorney Jeff Edward Gorder refused to present my case to a Jury. He openly admitted verbal abuse of me and angry outburst and name calling during a jail interview. He told me I didn't take a plea. He would see to it I received the maximum sentence the ACC. U. AND Bar Investigated said I had legit claim. I tried to fire Mr Gorder seventeen times the Head Attorney and Judge Curie refused to dismiss him.

b. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

7. Ground 2 or Ground (if applicable):

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a. Supporting facts:

—

b. Supporting cases, rules, or other authority:

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court? Yes. If yes, continue with number 13. No. If no, skip to number 15. MC-275

13. a. (1) Name of court: SHASTA COUNTY SUPERIOR

(2) Nature of proceeding (for example, "habeas corpus petition") AND APPEAL

(3) Issues raised: (a) WRONGFUL CONVICTION DUE TO CORRECTION

(4) Result (Attach order or explain why unavailable): _____

(5) Date of decision: _____

b. (1) Name of court: _____

(2) Nature of proceeding: _____

(3) Issues raised: (a) _____

(b) _____

(4) Result (Attach order or explain why unavailable): _____

(5) Date of decision: _____

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

16. Are you presently represented by counsel? Yes. No. If yes, state the attorney's name and address, if known:

17. Do you have any petition, appeal, or other matter pending in any court? Yes. No. If yes, explain:

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

SHASTA COURT

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date:

CSP SOLANO
STATE PRISON

